

Revised 2016 General Session Tax-Related Legislation

H.B. 23 Privilege Tax Amendments (Rep. J. Stanard)

This bill modifies the privilege tax statute.

This bill:

- ▶ describes exclusive possession as it relates to a privilege tax; and
- ▶ makes technical changes.

H.B. 24 Aeronautics Restricted Account Amendments (Rep. J. Stanard)

This bill addresses the expenditure of revenues deposited into the Aeronautics Restricted Account.

This bill:

- ▶ addresses the expenditure of revenues deposited into the Aeronautics Restricted Account; and
- ▶ makes technical and conforming changes.

H.B. 25 Property Tax Changes (Rep. D. McCay)

This bill amends provisions related to property tax.

This bill:

- ▶ defines terms;
- ▶ modifies the calculation of certain property tax rates;
- ▶ repeals obsolete language; and
- ▶ makes technical and conforming changes.

H.B. 26 Revenue and Taxation Interim Committee Report Amendments (Rep. D. McCay)

This bill addresses reports to and by the Revenue and Taxation Interim Committee.

This bill:

- ▶ repeals certain reports to and by the Revenue and Taxation Interim Committee;
- ▶ requires that certain reports be provided electronically to the committee;
- ▶ addresses requirements of reports made by the Governor's Office of Economic Development to the committee; and
- ▶ makes technical and conforming changes.

H.B. 32 Subdivision Base Parcel Tax Amendments (Rep. R. C. Webb)

This bill modifies provisions of the Property Tax Act relating to subdivided lots.

This bill:

- ▶ defines terms;
- ▶ addresses the payment of property tax on a base parcel that is subdivided into one or more parcels;
- ▶ modifies the requirements for a notice of property tax delinquency;
- ▶ describes the procedure by which an owner of a portion of a base parcel whose property tax is delinquent may redeem the owner's portion of the base parcel; and
- ▶ makes technical and conforming changes.

H.B. 39 Pass-through Entity Return Filing Date (Rep. S. Eliason)

This bill modifies the date for a pass-through entity to file a tax return.

This bill:

- ▶ modifies the date for a pass-through entity to file a tax return; and
- ▶ makes technical corrections.

H.B. 54 Economic Development Tax Increment Financing Amendments (Rep. R. Edwards)

This bill modifies economic development incentives administered by the Governor's Office of Economic Development.

This bill:

- ▶ defines terms;
- ▶ allows for the state to pay certain outstanding financial commitments;
- ▶ enacts provisions for the state to pay a partial rebate to a business entity for a portion of new state revenue generated by a business entity's new commercial project for an agreement initially entered into before May 5, 2008;
- ▶ creates the Economic Incentive Restricted Account as a restricted account in the General Fund; and
- ▶ provides procedures for the applications and payment of a partial rebate.

H.B. 61 Corporate Franchise and Income Tax Changes (Rep. J. Knotwell)

This bill addresses corporate franchise and income taxes.

This bill:

- ▶ addresses the apportionment of business income to the state for purposes of corporate franchise and income taxes; and
- ▶ makes technical and conforming changes.

H.B. 104 Property Taxation Amendments (Rep. J. Peterson)

This bill modifies the Property Tax Act to address providing notices.

This bill:

- ▶ permits the county auditor to provide certain notices by electronic means if certain conditions are met; and
- ▶ makes conforming and technical changes.

H.B. 162 Motion Picture Incentives Amendments (Rep. J. Peterson)

This bill addresses motion picture incentives.

This bill:

- ▶ amends reporting requirements associated with incentives for state-approved productions by a motion picture company.

H.B. 170 Medical Care Savings Account Tax Credit Repeal (Rep. J. Peterson)

This bill repeals the medical care savings account tax credit.

This bill:

- ▶ repeals the medical care savings account tax credit; and
- ▶ makes technical and conforming changes.

H.B. 183 County Option Sales and Use Tax for Highways and Public Transit Amendments (Rep. J. Draxler)

This bill modifies the Sales and Use Tax Act by amending provisions relating to the county option sales and use tax for highways and public transit.

This bill:

- ▶ amends the distribution of revenue collected from the local option sales and use tax for highways and public transit; and
- ▶ makes technical and conforming changes.

H.B. 190 Taxation of Foreign Income Amendments (Rep. B. Wilson)

This bill addresses adjustments to adjusted gross income.

This bill:

- ▶ addresses adjustments to adjusted gross income for certain manufacturing entities that pay an income tax to a foreign country.

H.B. 208 Tax Issues Amendments (Rep. S. Eliason)

This bill addresses tax issues.

This bill:

- ▶ clarifies from which fund payments for certain tax credits should be paid;
- ▶ addresses the circumstances for which a transfer is made from the General Fund into the Education Fund for tax credits related to energy efficient vehicles;
- ▶ addresses payment transfers for various tax credits and refunds; and
- ▶ makes technical and conforming changes.

H.B. 233 Tax Credit for Military Survivor Benefits (Rep. P. Ray)

This bill creates an individual income tax credit for certain military survivor benefits.

This bill:

- ▶ defines terms; and
- ▶ creates a nonrefundable individual income tax credit for certain military survivor benefits.

H.B. 237 Income Tax Contribution for Clean Air (Rep. P. Arent)

This bill modifies provisions relating to the Individual Income Tax Contribution Act.

This bill:

- ▶ creates the Clean Air Fund;
- ▶ allows a resident or nonresident individual who files an individual income tax return to designate on the resident or nonresident individual's income tax return a contribution to the Clean Air Fund;
- ▶ establishes criteria for the distribution of funds from the Clean Air Fund; and
- ▶ makes technical and conforming changes.

H.B. 265 Mental Health Practitioner Amendments (Rep. S. Eliason)

This bill creates state income tax credits for psychiatrists and psychiatric mental health nurse practitioners under certain circumstances.

This bill:

- ▶ requires the Division of Occupational and Professional Licensing within the

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Department of Commerce to issue a tax credit certificate to a psychiatrist or psychiatric mental health nurse practitioner who submits an application to the division and provides certain information to the division;

- ▶ defines terms;
- ▶ creates a refundable state income tax credit for a psychiatrist or a psychiatric mental health nurse practitioner who begins a new practice in the state;
- ▶ creates a refundable state income tax credit for a psychiatrist or a psychiatric mental health nurse practitioner who provides mental health services to an underserved population in the state;
- ▶ creates a refundable state income tax credit for a volunteer retired psychiatrist who provides mental health services to an underserved population; and
- ▶ limits the number of years in which the income tax credits may be claimed.

S.B. 15 Apportionment of Business Income Amendments (Sen. D. Henderson)

This bill addresses the apportionment of business income for purposes of corporate franchise and income taxes.

This bill:

- ▶ addresses the apportionment of business income for purposes of corporate franchise and income taxes;
- ▶ repeals obsolete language; and
- ▶ makes technical and conforming changes.

S.B. 16 Tax Credit Amendments (Sen. D. Henderson)

This bill amends provisions related to tax credits.

This bill:

- ▶ repeals a provision that prohibits a person from carrying forward a tax credit if the State Tax Commission is required to remove the tax credit from a tax return;
- ▶ exempts corporate and individual historic preservation tax credits from provisions requiring the State Tax Commission to remove the tax credits from a tax return under certain circumstances; and
- ▶ makes technical and conforming changes.

S.B. 17 Revenue and Taxation Amendments (Sen. K. Van Tassell)

This bill amends certain oil and gas severance tax statutes.

This bill:

- ▶ defines terms;
- ▶ clarifies the formula for calculating the oil and gas severance tax; and
- ▶ makes technical changes.

S.B. 31 Tax Commission Levy Process (Sen. W. Harper)

This bill enacts a State Tax Commission levy process using a depository institution data match system to collect certain amounts owed by a delinquent taxpayer.

This bill:

- ▶ defines terms and modifies definitions;
- ▶ enacts the Depository Institution Data Match System and Levy Act;
- ▶ provides procedures and requirements for the depository institution data match

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system and levy process, including:

- requiring the State Tax Commission to develop and operate the database in coordination with depository institutions;
 - addressing agreements between the State Tax Commission and depository institutions;
 - requiring a depository institution to provide the State Tax Commission with certain information;
 - establishing a levy process for collecting a liability from a delinquent taxpayer using the depository institution data match system;
 - addressing duties of a depository institution and the State Tax Commission in relation to the depository institution data match system and levy process;
 - addressing payments by the State Tax Commission to a depository institution;
 - addressing an amount levied or released in error;
 - addressing the confidentiality and disclosure of information;
 - addressing limits on a depository institution's liability; and
 - granting rulemaking authority to the State Tax Commission; and
- makes technical and conforming changes.

S.B. 68 Property Tax Amendments (Sen. W. Harper)

This bill amends provisions related to property taxes.

This bill:

- defines terms; and
- provides for a property tax exemption for property that is leased to certain government entities.

S.B. 80 Infrastructure Funding Amendments (Sen. J. S. Adams)

This bill modifies provisions relating to infrastructure funding.

This bill:

- modifies state sales and use tax earmarks;
- requires the Division of Finance to annually transfer a certain amount of revenue from the Transportation Fund to the Transportation Investment Fund of 2005; and
- makes technical and conforming changes.

This bill appropriates in fiscal year 2016-17:

- to Transportation - Transportation Investment Fund of 2005, as an ongoing appropriation:
 - from the Transportation Fund, (\$76,633,600).

S.B. 112 Property Tax Assessment Amount Amendments (Sen. H. Stephenson)

This bill modifies the Property Tax Act to address assessments.

This bill:

- addresses the burden of proof in appeals of property tax assessments.

S.B. 120 Property Tax Notice Amendments (Sen. H. Stephenson)

This bill amends provisions related to property tax notices.

This bill:

- ▶ defines last year's property tax budgeted revenue for purposes of the advertisement used to provide notice of a proposed property tax increase.

S.B. 137 County Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations and Facilities (Sen. B. Shiozawa)

This bill modifies provisions related to funding for botanical, cultural, recreational, and zoological organizations and facilities.

This bill:

- ▶ amends a definition provision;
- ▶ modifies the circumstances when an opinion question is required;
- ▶ amends how money is distributed; and
- ▶ makes technical changes.

S.B. 159 Severance Tax Exemption Extension (Sen. K. Van Tassell)

This bill modifies the state severance tax on oil and gas.

This bill:

- ▶ extends for 10 years the exemption from the state severance tax on oil and gas for oil and gas produced from coal-to-liquids technology, oil shale, or oil sands.

S.B. 164 Local Government Modifications (Sen. D. Henderson)

This bill modifies provisions relating to local governments.

This bill:

- ▶ removes the requirement for the Office of the State Auditor to provide certain budget forms;
- ▶ requires a town, city, county, interlocal entity, or local district to appropriate a percentage of fund revenue toward deficit fund balances;
- ▶ requires a town to prepare certain financial reports;
- ▶ clarifies the due date for budget adoption for a city undergoing truth in taxation;
- ▶ removes obsolete language related to city auditor bookkeeping duties;
- ▶ repeals the requirement for an independent audit of a county's transient room tax and tourism, recreation, cultural, convention, and airport facilities tax;
- ▶ modifies the contents of a property tax notice;
- ▶ provides that a taxpayer who pays less than the full amount of the items listed on the taxpayer's property tax notice may direct how the county treasurer allocates the partial payment between the amounts due; and
- ▶ makes technical and conforming changes.

S.B. 171 Economic Development Tax Credits Amendments (Sen. C. Bramble)

This bill addresses economic development tax credits.

This bill:

- ▶ repeals refundable corporate and individual income tax credits for certain business entities generating state tax revenue increases;
- ▶ provides that the Governor's Office of Economic Development may issue additional income tax credit certificates for investment in certain life science

- establishments;
- ▶ changes the criteria for tax credits; and
- ▶ makes technical and conforming changes.

S.B. 228 Multicounty Assessing and Collecting Levy Amendments (Sen. H. Stephenson)

This bill adds an authorized use for revenue generated from the multicounty assessing and collecting levy.

This bill:

- ▶ provides for an additional authorized use of the revenue generated from the multicounty assessing and collecting levy that is allocated to the Multicounty Appraisal Trust.

S.B. 245 Personal Property Amendments (Sen. D. Henderson)

This bill amends the Property Tax Act.

This bill:

- ▶ amends the description of personal property to include a pipe laid in or affixed to land where ownership of the pipe is separate from the ownership of the underlying land; and
- ▶ makes technical changes.

S.B. 258 Distribution of Local Sales Tax Revenue (Sen. R. Okerlund)

This bill addresses the distribution of local sales and use tax revenue.

This bill:

- ▶ defines terms;
- ▶ provides for a minimum distribution of certain local sales and use tax revenue for an eligible county, city, or town; and
- ▶ makes technical and conforming changes.

S.C.R. 2 Concurrent Resolution in Support of Sales and Use Tax Transactional Equity (Sen. W. Harper)

This concurrent resolution of the Legislature and the Governor urges the United States Congress to pass the Remote Transactions Parity Act of 2015, H.R. 2775, legislation for fair, uniform, simplified, and constitutional collection and remittance of state and local sales and use taxes by both in-state and remote sellers.

This resolution:

- ▶ urges Congress to pass, without delay, the Remote Transactions Parity Act of 2015, H.R. 2775, for the fair, uniform, simplified, and constitutional collection of state and local sales and use taxes due; and
- ▶ affirms that, through passage of the legislation, Congress will:
 - foster consistent standards for in-state and remote sellers who are obligated to collect state and local sales and use taxes, providing equal, consistent, and fair treatment among traditional brick-and-mortar retailers, brick-and-click retailers, catalogue retailers, and Internet-only retailers; and
 - require similarly situated purchasers to pay the same sales and use tax rates, regardless of which type of retailer they make their purchases from and regardless of where that retailer is located.

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S.J.R. 3 Proposal to Amend Utah Constitution- Property Tax Exemptions (Sen. W. Harper)

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify a provision relating to property tax exemptions.

This resolution proposes to amend the Utah Constitution to:

- ▶ allow property leased by the state or by a political subdivision of the state to be exempt from property tax, as provided by statute.